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TOWNSEND and TOWNSEND and CREW LLP

By:

Tara N. Damhoff

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Patent
7/22/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HIMMELSPACH et al.

Application No.: 09/632,722

Filed: August 4, 2000

For: FACTOR X ANALOG WITH AN
IMPROVED ABILITY TO BE
ACTIVATED

Examiner: Robinson, Hope A.

Technology Center/Art Unit: 1653

RESPONSE TO RESTRICTION
REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Restriction Requirement mailed May 6, 2003. The original deadline for filing a response was June 6, 2003. A petition for a one month extension of time is enclosed, thus extending the period for response until July 6, 2003. Because this date fell on a Sunday, the period for response was further extended until July 7, 2003. Accordingly, this response is timely filed.

In response to the restriction requirement, Applicants elect with traverse to prosecute the claims of Group I. Group I as defined in the restriction requirement includes claims 1-15 and 17-33, which, according to the Examiner, are directed to Factor X analogs and preparations containing such analogs.

Election is made with traverse because it is submitted that claims 35 and 38-43 should also be included in Group I. These claims are all directed to methods of producing a preparation and thus properly belong in Group I rather than Group II, as Group I includes preparations whereas Group II is directed to recombinant DNA molecules. Furthermore, these claims all directly or indirectly refer to the preparation recited in claim 17 which is within Group I.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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